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Attorneys for FIDELITY NATIONAL TITLE INSURANCE
COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILMINGTON TRUST, NATIONAL
ASSOCIATION, NOT IN INDIVIDUAL
CAPACITY BUT AS TRUSTEE OF ARLP
SECURITIZATION TRUST, SERIES
2014-1,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE
INSURANCE COMPANY and LAWYERS
TITLE INSURANCE CORPORATION,

Defendant.

Case No.: 2:19-cv-00449-APG-GWF

**STIPULATION AND PROPOSED
ORDER EXTENDING DEFENDANTS
FIDELITY NATIONAL TITLE
INSURANCE COMPANY'S AND
LAWYERS TITLE INSURANCE
CORPORATION'S TIME TO
RESPOND TO COMPLAINT**

(First Request)

Plaintiff Wilmington Trust, National Association, Not in Individual Capacity but as Trustee of ARLP Securitization Trust, Series 2014-1 ("Wilmington Trust") and defendant Fidelity National Title Insurance Company ("Fidelity"), by and through their counsel of record, hereby stipulate as follows:

WHEREAS, Wilmington Trust filed its complaint in this matter on March 15, 2019 (ECF No. 1);

WHEREAS, Wilmington Trust contends that it served defendant Lawyers Title Insurance Corporation ("Lawyers Title") with the summons and complaint on or about March 22, 2019;

1 **WHEREAS**, Lawyers Title's response to the complaint would be due on April 12, 2019;

2 **WHEREAS**, Fidelity contends that Lawyers Title is not a proper party defendant because
3 it contends that Lawyers Title merged into Fidelity in 2010 (and that any claims that could have
4 been asserted against Lawyers Title must therefore be asserted against its corporate successor);

5 **WHEREAS**, Fidelity was served with the summons and complaint on or about March 28,
6 2019;

7 **WHEREAS**, Fidelity's response to the complaint is due on April 18, 2019;

8 **WHEREAS**, the parties are presently meeting and conferring on whether there is subject
9 matter jurisdiction in the United States District Court over this dispute and, if so, whether Lawyers
10 Title is properly a defendant in this action;

11 **WHEREAS**, Wilmington Trust has agreed to extend Fidelity's and Lawyers Title's (if
12 applicable) time to respond to the complaint to May 3, 2019 to afford the parties additional time to
13 consider the jurisdictional issue and whether Lawyers Title is properly joined as a defendant; and

14 **WHEREAS**, this is the first stipulation for an extension of Fidelity's and Lawyers Title's
15 time to respond to the complaint.

16 Now, therefore, the parties hereto, by and through their counsel of record, hereby stipulate
17 and agree as follows:

18 1. Fidelity and Lawyers Title (if applicable) shall file their responses to the complaint in
19 this matter on or before May 3, 2019.

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2. Defendants intend to preserve their right and do not expressly waive any and all defenses listed in Fed. R. Civ. P. 12(b), including with respect to whether they are subject to personal jurisdiction in this forum.

Dated this 11th day of April 2019

EARLY SULLIVAN WRIGHT
GIZER & McRAE LLP

/s/--Kevin S. Sinclair

By: _____
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Attorneys for Defendant
Fidelity National Title Insurance Company

Dated this 11th day of April 2019

WRIGHT, FINLAY & ZAK, LLP

/s/--Lindsay D. Robbins

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Attorneys for Plaintiff
Wilmington Trust, National Association, not in its
individual capacity but as Trustee of ARLP
Securitization Trust, Series 2014-1

ORDER

IT IS SO ORDERED:

By: *George Foley Jr.* _____
UNITED STATES MAGISTRATE JUDGE

Dated: 4/12/2019